IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

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**WRIT PETITION NO : 8549 of 2004**

Between:

Sri Rama Sand Quarry Boatsmen

and Fishermen Co-operative Soceity,

Vakalagaruvu (V), Ambajipeta (M) Rep. by its
President Kota Laxmana Swamy

**..... PETITIONER**

AND

1. The Chairman Zillaparishad-cum-District Level Sand Auction

Committee Chairperson, Eluru, W.G. District.
2. The District Panchayat Officer-cum-Member and Convenor

District Level Committee, Sand Auctions,
Eluru, W.G. District.
3. The Assistant Director of Mines & Geology
Eluru, W.G. District.

**....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or direction more particularly one in the nature of writ of Mandamus, declaring the action of the respondents, in demanding the petitioner Society to pay an amount of Rs.3,35,000/- within 15 days and the remaining lease period amount of Rs. 10,30,000/- before 01-07-2004, is illegal, arbitrary and contrary to G.O. Ms.No.1 dated 1.1.2001, and consequently direct the respondents to allow the petitioner society to pay the entire lease period amount of Siddantam Sand Reach in 4 equal

Installments as contemplated under G.O.Ms.No.1, dt.01-01-2001.

**Counsel for the Petitioner: MR.SITA RAM CHAPARLA**

**Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT.**

**The Court made the following:**

**ORDER:**

1. The petitioner is a lessee in respect of the sand quarry in Sidhantham Sand Reach for a period of 01.04.2004 to 30.09.2004.

2. This Writ Petition is filed declaring the action of the respondents in demanding the lease amount contending that the same is not in conformity with G.O. Ms. No. 1 dated 01.01.2004 and for consequential direction to allow the petitioner so as to pay the entire lease amount in four equal instalments.

3. Though, rule nisi was ordered on 30th April, 2004 no interim orders were granted.

4. Since the lease period itself expired on 30th September, 2004 as on today nothing remains for consideration on merits.

5. In the circumstances of the case, the Writ Petition having been rendered infructuous is dismissed. No costs.

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26-11-2004

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To

1. The Chairman Zillaparishad-cum-District Level Sand Auction

Committee Chairperson, Eluru, W.G. District.
2. The District Panchayat Officer-cum-Member and Convenor

District Level Committee, Sand Auctions,
Eluru, W.G. District.
3. The Assistant Director of Mines & Geology
Eluru, W.G. District.

4. 2 CCs to GP for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad. (OUT).

5. 2 CD copies